

Trial Instructions Page 1 of 1
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Case No.: _____ Adv. No.: _____

The pre-trial conference in this matter has been scheduled for:

Date: _____ Time: _____

Courtroom: _____

Address: _____

**PLAINTIFF SHALL SERVE ALL PARTIES WITH A COPY OF THESE INSTRUCTIONS
AND THE PROPOSED JOINT ORDER SCHEDULING PRETRIAL PROCEEDINGS AND TRIAL WHEN
SERVING THE SUMMONS AND COMPLAINT.**

All parties are directed to exchange initial discovery under Fed. R. Civ. Proc. 26(a) within 14 days of the date the answer is filed.

Parties are to submit a Joint Proposed Scheduling Order in the attached form, establishing a discovery and pre trial motion schedule, and an estimated length of trial. If the parties agree to pursue mediation to resolve disputed matters, a separate mediation order selecting a mediator and providing for a mediation schedule shall be submitted within 14 days of the submission of the scheduling order. The court will fix a trial date and enter the scheduling order without the necessity of an appearance.

If the Joint Proposed Scheduling Order is not filed, each party must file a pre-trial memorandum with the court and serve a copy on every party 14 days prior to the scheduled pre-trial date. The pre-trial memorandum must include the following numbered items:

1. A concise statement of the nature of the action, including the statutory basis for the relief sought.
2. A report on the status of discovery conducted to date and a description of the type and extent of the discovery anticipated.
3. A list of the factual issues to be determined at trial.
4. A list of the legal issues to be determined at trial.
5. An itemized statement of damages sought.
6. A statement why a Joint Proposed Scheduling Order was not submitted.
7. An estimated date for trial readiness.
8. An estimated length for trial.
9. A witness list.
10. Any other information of which the court should be aware prior to scheduling the matter for trial.

Pre-trial Conferences, if necessary, are conducted in the courtroom, on the record, and are not conducted by telephone. Failure to appear will result in pleadings being stricken.

THE PLAINTIFF'S FAILURE TO TIMELY FILE A REQUEST TO ENTER DEFAULT, IF AN ANSWER HAS NOT BEEN FILED, MAY RESULT IN DISMISSAL FOR LACK OF PROSECUTION AT THE PRE TRIAL CONFERENCE.